

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 05/25/99

AGENDA ITEM 5

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Agreement for Emergency Water Services between the City of Hayward and the East Bay Municipal Utilities District

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution, which authorizes the City Manager to execute the Agreement for Emergency Water Services between the City of Hayward and the East Bay Municipal Utilities District.

BACKGROUND/DISCUSSION:

In a water emergency, such as an earthquake, under which the delivery of water by San Francisco is disrupted, the City must have other means of serving its customers. Currently, the City has two major sources of emergency supplies: 1) An intertie with the Alameda County Water District, and 2) Five emergency wells (four completed and currently on standby, and one under design). Each of these two sources could provide up to 8 million gallons of water a day, which is about two thirds of the City's average summer time demand. To supplement this amount, and because using water from these wells is not desirable except in severe emergencies and for short periods of time, it is preferred to find other sources of emergency supply.

As Council is aware, East Bay Municipal Utilities District (EBMUD) serves the municipalities to the north of Hayward, as well as a small portion of the City itself, so we have mains and other facilities in close proximity of one another. In fact there are currently two locations in Hayward where connections, with closed valves, currently exist between the District and the City water systems. The locations are on Foothill Boulevard, near City Center Drive, and on West "A" Street near Hathaway Avenue. At both locations the City water system is at higher pressure which allows water to be conveyed to the District without the need for pumps, but the City will need to use a pumping system to convey water from the District to the City water system. A project is included in the Water System Capital Improvement Fund of the Capital Improvement Program for the purchase of the necessary pumps.

City staff broached the idea of an emergency water service (intertie) agreement with EBMUD in December of 1997. Since then, the City and EBMUD staffs have been working on technical details, such as how much water may be conveyed from each system without adversely impacting the other. It has been determined that up to a total of 8 million gallons of water a day can be conveyed between the two agencies safely. All other concerns have also been dealt with, and an agreement has been prepared for execution.

Based on the agreement, an "emergency" is either agency's determination that a disaster or other unforeseen event has resulted in an actual or imminent inability of a water agency to serve its customers, including not being able to meet water quality standards. Either water agency may request service from the other water agency upon notice that an emergency exists. The agreement covers operational, maintenance, and payment arrangements. It outlines the responsibility of the recipient of the water to pay supplier for the water. The agreement also contains a hold harmless clause which indemnifies the water supplier from all liability. A copy of the agreement is available for review at the City Clerk's office.

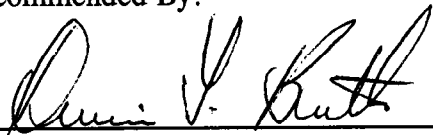
The East Bay Municipal Utilities District has scheduled the agreement for its Board's consideration this month.

Prepared By:



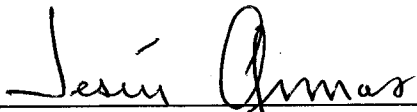
Alex Ameri, Deputy Director of Public Works for Utilities

Recommended By:



Dennis L. Butler, Director of Public Works

Approved By:



Jesús Armas, City Manager

Attachment: Exhibit A - Location Map

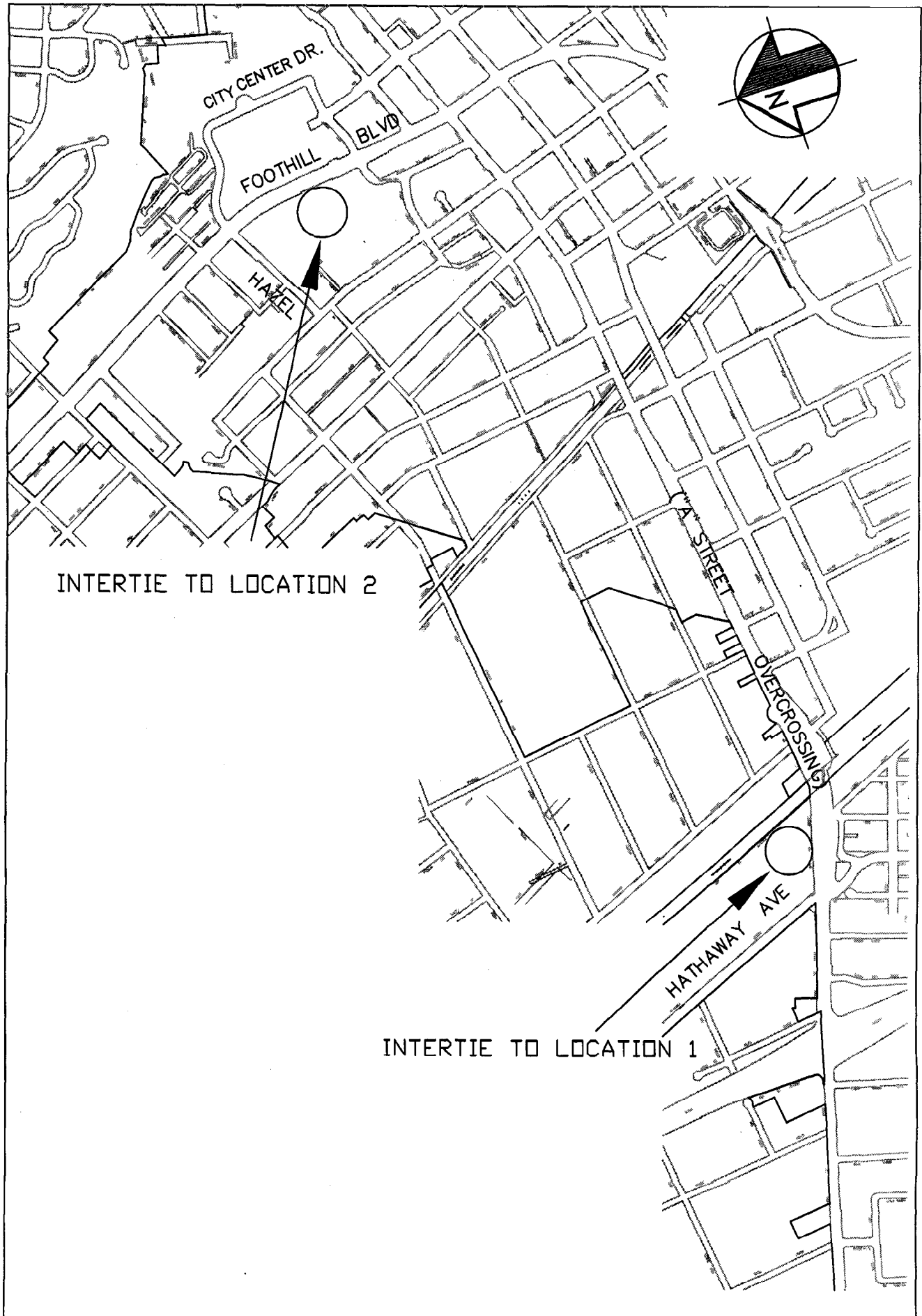


EXHIBIT A

DRAFT

DM 55-99

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE AN AGREEMENT WITH EAST BAY MUNICIPAL
UTILITIES DISTRICT FOR EMERGENCY WATER SERVICE**

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute behalf of the City of Hayward an agreement between the City of Hayward and East Bay Municipal Utilities District for emergency water service in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward